

**ZONING BOARD OF ADJUSTMENT MINUTES**  
**REGULAR MEETING**  
December 6, 2007

Kevin Martin opened the meeting at 8:00 p.m. by reading the Open Public Meetings Law Statement:

This is a Regular Meeting of the Zoning Board of Adjustment. In compliance with the Open Public Meetings Law, notification of this meeting has been sent to all officially appointed Township newspapers & notice is posted at River Vale Municipal Offices.

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<b><u>ROLL CALL:</u></b>	Kevin Martin	Chairman	Present
	Lorraine de Stefan		Present
	Melvina Fakazis	Vice-Chairperson	Present
	David Rice		Present
	Thomas Pospisil		Present
	Robert Adamo		Absent
	Joseph Massin	Alternate # 2	Present
	Robert Fortsch	Alternate # 1	Present
	John Donovan		Present

<b><u>ALSO PRESENT:</u></b>	Brian Giblin	Board Attorney	
	Elliott Sachs	Board Engineer	Absent

**Secretary to the Board:**

A motion by Melvina Fakazis, seconded by Thomas Pospisil to appoint David Rice as Secretary to the Board; on roll call vote, all in favor, the motion carried.

**VOUCHERS:**

A motion by Melvina Fakazis, seconded by David Rice to approve vouchers presented and read for the record for Brian Giblin, Board Attorney; on roll call vote, all in favor, the motion carried.

A motion by Melvina Fakazis, seconded by Lorraine deStefan to approve vouchers presented and read for the record for Boswell Engineering; on roll call vote, all in favor, the motion carried.

**DISCUSSION:**

688 Westwood, LLC, 680 Westwood Avenue – Extension of Variance

Brian Giblin, Board Attorney advised that a letter was in the Board member packages from the applicant requesting an extension of his approved variance for 1 year. Mr. Giblin added that an extension request can be granted up to 2 years.

Mr. LaPino, applicant for 688 Westwood, LLC, was sworn in by Brian Giblin, Board Attorney. He

reported that developers agreement and permits were secured. Mr. LaPino provided an explanation for requesting an extension.

A motion by Melvina Fakazis, seconded by Thomas Pospisil to grant the request for extension; on roll call vote, all in favor, the motion carried.

**RESOLUTIONS:**

**07-16 Ceglia, 589 Piermont Avenue, Block 1301, Lot 15**

Violation of 142-263

A motion by Robert Fortsch, seconded by Thomas Pospisil, to adopt the resolution, on roll call vote, all those eligible voted yes; the motion carried.

**APPLICATIONS:**

**07-13 Galasso, 578 Hamilton Place, Block 1503 Lot 12**

Violation of 142-263

**E.(1)(a)** The proposed front yard setback is 28.5' where 45 feet is required. A 16.5 foot front yard setback variance is required.

**E.(2)(a)** The proposed side yard setback is 14.6' feet where 15 feet is required. A 0.4 foot side yard setback variance is requested.

**E.(2)(a)** The proposed aggregate of two side yards is 35.5' where 40 feet is required. A 4.5 foot aggregate side yard setback variance is requested.

Peter Galasso was sworn in by Brian Giblin, Board Attorney. He explained his application to build a porch in the front of his house. A variance is needed. The porch would not be enclosed or screened.

Kevin Martin inquired if the 28.5 ft. front yard setback included the steps. Mr. Galasso responded no, and that there are 3 steps proposed. The request was changed to a 25.5 ft. front yard setback to include the steps. Therefore, creating a 19.5 ft. front yard setback variance.

Melvina Fakazis asked if the porch would be the entire length of the house. Mr. Galasso responded yes, but not wider than the existing house.

Mr. Giblin explained a discrepancy of measurements between the survey and the proposed aggregate of the two side yards of the existing house. After calculations were made, it was determined that a 20.9 ft. variance is needed.

Mr. Giblin reviewed conditions of the application request.

The meeting was opened to the public and so carried.

No public comment.

The meeting was closed to the public.

A motion by Melvina Fakazis, seconded by Thomas Pospisil to grant the variance application as conditioned, on roll call vote, all in favor, the motion carried. Joseph Massin was not called.

**07-19 Moreno, 552 Cleveland Ave, Block 1508 Lot 20**

*Violation of 142-263*

**B.(2).** Width of lot is required to be a minimum of 120'. A lot width of 50' currently exists.

**E.(1)(a)** The proposed front yard setback is 25' feet where 45' is required. A 20' front yard setback variance is requested.

**E.(2)(a)** The proposed side yard setbacks are 3.9' and 9.5' where a minimum of 15 is required. The proposed aggregate of the two side yards is 13.4' where 40 feet is required. A side yard variance of 5.5' and 11.1' are requested. Additionally, a 26.6' aggregate side yard setback

Siobhan Moreno, applicant was sworn in by Brian Giblin, Board Attorney. Mrs. Moreno explained her application request for a 1<sup>st</sup> floor addition 30 x 24, a second floor addition 24 x 24 and a car port 36 x 11.

Mr. Donovan inquired how close the neighbor's house was on the car port side, lot 19. Mrs. Moreno responded that the house was not close and that the neighbor's driveway was at the opposite end.

Mr. Massin had safety concerns regarding emergency services with houses that were too close.

Mr. Martin inquired if there was enough room to open car doors with the pillars holding up the proposed car port. Mrs. Moreno advised that her architect verified that there is ample room.

Melvina Fakazis asked if there was a solid fence between the houses. Mrs. Moreno stated that a solid fence existed.

Mr. Fortsch had concerns regarding snow removal.

Mr. Giblin recommended the Board Engineer check the pitch of the roof so drainage doesn't negatively impact the neighbor. If a seepage pit is needed then it should be installed.

It was determined that there is no room for a garage instead of a car port.

The meeting was opened to the public and so carried.

No public comment.

The meeting was closed to the public.

Mr. Martin inquired if siding would all match. Mrs. Moreno advised that it would. Mr. Martin commented that the plans were good for the size of the property available.

Mr. Giblin reviewed conditions.

A motion by Lorraine de Stefan, seconded by Joseph Massin to approve the application as conditioned; on roll call vote, all in favor, the motion carried. Mr. Fortsch was not called.

COMMENTS:

Robert Fortsch attended three workshops at the League of Municipalities and provided an update.

Joseph Massin recommended including on the agenda, if there are any previous non-conforming conditions on applications.

**ADJOURNMENT:**

Upon motion seconded and carried, the meeting was adjourned at 9:00 p.m.

Respectfully submitted,

Sylvia Kokowski  
Recording Secretary